

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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In Re: John Connell Rooney and Delores Marie Rooney      CASE NO: 12-31859-SVK-13  
Debtors

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NATIONSTAR MORTGAGE LLC, its successors, servicing agents, and/or assigns

Vs.

NOTICE OF MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND ABANDONMENT

JOHN CONNELL ROONEY AND DELORES MARIE ROONEY  
AND MARY B. GROSSMAN, TRUSTEE

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NATIONSTAR MORTGAGE LLC, its successors, servicing agents, and/or assigns

(hereinafter referred to as "Movant") by its attorneys Blommer Peterman, S.C., has filed papers to request that the Court grant it relief from the automatic stay imposed by Sec. 362(a) of the Bankruptcy Code and for abandonment of property of the estate.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to grant the relief sought by the Movant in this Motion, or if you want the Court to consider your views on this Motion, then, **within fourteen (14) days of the date of this Notice**, you or your attorney must file a written objection with the Court and request a hearing. Your objection must be sent to:

Bankruptcy Clerk of Court  
US Courthouse  
517 E. Wisconsin Avenue  
Milwaukee, WI 53202

Blommer Peterman S.C.      165 Bishops Way, Suite 100  
Brookfield, WI 53005      262-790-5719      shannon@blommerpeterman.com

If you mail your objection and request for hearing to the Court for filing, you must mail it early enough so that the Court will receive it within fourteen (14) days of the date of this Notice.

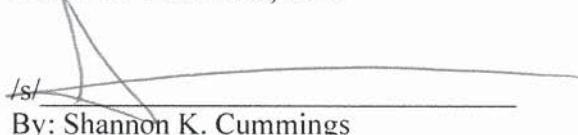
You must also mail a copy of your objection and request for hearing to Movant's Attorney:

Shannon K. Cummings  
Blommer Peterman, S.C.  
165 Bishops Way, Suite 100  
Brookfield, WI 53005

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting the relief and abandonment as requested.

Dated this 6 day of June, 2014

**Blommer Peterman, S.C.**

  
/s/  
By: Shannon K. Cummings

Prepared By:  
Shannon K. Cummings  
Blommer Peterman, S.C.  
165 Bishops Way, Suite 100  
Brookfield, WI 53005  
262-790-5719  
[shannon@blommerpeterman.com](mailto:shannon@blommerpeterman.com)

Blommer Peterman, S.C. is the creditor's attorney and is attempting to collect a debt on its client's behalf, and any information obtained will be used for that purpose.

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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In Re: John Connell Rooney and Delores Marie Rooney      CASE NO: 12-31859-SVK-13  
Debtors

NATIONSTAR MORTGAGE LLC, its successors, servicing agents, and/or assigns

Vs. **MOTION FOR RELIEF FROM AUTOMATIC STAY AND ABANDONMENT**

JOHN CONNELL ROONEY AND DELORES MARIE ROONEY  
AND MARY B. GROSSMAN, TRUSTEE

NATIONSTAR MORTGAGE LLC, its successors, servicing agents and/or assigns

(hereinafter referred to as Movant) by and through its attorneys, Blommer Peterman, S.C., moves the court pursuant to Sec. 362(d) and Sec. 554 (b) of the Bankruptcy Code for an order granting it relief from the automatic stay that was imposed by Sec. 362(a) of the Bankruptcy Code and for an Order of abandonment and herein alleges as follows:

1. John Connell Rooney and Delores Marie Rooney, (Debtors) filed a petition under Chapter 13 on August 8, 2012.
2. On October 25, 2006, Debtors executed a promissory Note evidencing a mortgage loan. The promissory Note is secured by a perfected Mortgage on the real property owned by the Debtors located at 1218 Appaloosa Tr, Racine, WI 53402-0000. A copy of said secured Mortgage is attached hereto and incorporated herein by reference and/or documents revealing the current mortgagee of record.

Blommer Peterman S.C. 165 Bishops Way, Suite 100  
Brookfield, WI 53005 262-790-5719 shannon@blommerpeterman.com

3. That monthly Mortgage payments have not been received on the above referenced mortgage loan as required by the terms of the Debtors proposed Plan in this case thereby constituting just cause for terminating the automatic stay that has been imposed.
4. The Debtors mortgage loan is currently in default and is reflecting post-petition arrears as follows:

13 Payments of \$1,659.62	June 1, 2013 to June 1, 2014	\$21,575.06
Filing Cost		\$176.00
Attorney Fees		\$650.00
Less Suspense Balance		(\$248.94)
Grand Total		\$22,152.12

5. The assessed value of the property is \$224,700.00 according to information provided on behalf of the Treasurer, and the Debtors' Payoff on said mortgage loan good through June 4, 2014 is estimated to be \$211,758.22.
6. The real estate property tax balance showing due on the subject property at this time is \$0.00.
7. The Movant needs to be provided with current proof that adequate homeowner's insurance is in effect on the subject property and that the Movant is properly shown as an additional insured.
8. If the Movant is not granted the relief described herein then it will suffer injuries, losses and/or damages as it does not have adequate protection from the Debtors with regard to its secured interest in the subject property.

9. Should the Movant be granted the relief requested in this Motion, any Order granting the requested relief shall take effect immediately thereby waiving the 14 day stay as described by Bankruptcy Rule 4001 (a)(3).
10. Based on the preceding allegations, the subject property is burdensome to the estate and is of inconsequential value and benefit to the estate.
11. If this Motion is granted, the Movant will withdraw its proof of claim. If the proof of claim is withdrawn, the Movant should no longer be required to provide the notices required by Bankruptcy Rule 3002.1.

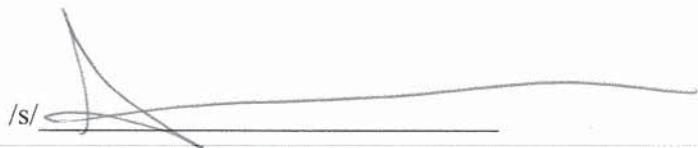
WHEREFORE, Movant requests:

1. Pursuant to Sec. 362(d)(1) of the Bankruptcy Code, an Order for Relief from the automatic stay as it pertains to the Debtors and the subject property of the estate based on just cause being shown thereby allowing Movant to exercise and enforce its rights pursuant to said Note and Mortgage.
2. Pursuant to Sec. 554 (b) of the Bankruptcy Code, an Order that the Trustee has abandoned the estate's interest in the subject property.
3. Upon withdrawal of its proof of claim, Movant should no longer be required to provide the notices required by Bankruptcy Rule 3002.1.
4. That the Movant's legal fees and costs associated with this Motion be approved.
5. That any Order entered pursuant to this Motion shall take effect immediately upon its entry thereby waiving the 14 day stay as described by Bankruptcy Rule 4001 (a)(3).

6. Any further relief that the Court may deem just and equitable.

Dated this 10 day of June, 2014

**Blommer Peterman, S.C.**



A handwritten signature of "Shannon K. Cummings" is written over a horizontal line. Above the line, the text "Blommer Peterman, S.C." is printed. To the left of the signature, there is a small handwritten mark that appears to be "/s/" followed by a handwritten signature.

By: Shannon K. Cummings

Blommer Peterman, S.C.  
165 Bishops Way, Suite 100  
Brookfield, WI 53005  
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[shannon@blommerpeterman.com](mailto:shannon@blommerpeterman.com)

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EASTERN DISTRICT OF WISCONSIN

In Re: John Connell Rooney and Delores Marie Rooney  
Debtors

CASE NO: 12-31859-SVK-13  
AFFIDAVIT OF SERVICE

STATE OF WISCONSIN )  
WAUKESHA COUNTY )

The affiant, being first duly sworn on oath, deposes and states that a copy of the Notice of Motion and Motion for Relief and Abandonment in the above entitled action was served on June 12, 2014 by Electronic Case Filing to the following persons at the following addresses:

**Mary B. Grossman, Trustee**  
P.O. Box 510920  
Milwaukee, WI 53203

**Office of the U.S. Trustee - Eastern**  
517 East Wisconsin Avenue, Room 430  
Milwaukee, WI 53202

**Attorney Andrew M. Golanowski**  
55 E. Monroe Street #3400  
Chicago, IL 60603

**Blommer Peterman, S.C.**

Name: Whitney S. Sanders

Subscribed and sworn to before me this  
12<sup>th</sup> day of June, 2014

Karen Kirsch  
Notary Public, State of Wisconsin  
My commission expires: 8/16/2015



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CASE NO: 12-31859-SVK-13  
AFFIDAVIT OF SERVICE

STATE OF WISCONSIN )  
WAUKESHA COUNTY )

The affiant, being first duly sworn on oath, deposes and states that a copy of the Notice of Motion and Motion for Relief and Abandonment in the above entitled action was served on June 12, 2014 by first class mail, postage prepaid, to the following persons at the following addresses:

**John Connell Rooney**  
1915 Wustum Avenue  
Racine, WI 53404

**Delores Marie Rooney**  
2719 LaSalle Street  
Racine, WI 53402

**Attorney Andrew M. Golanowski**  
55 E. Monroe Street #3400  
Chicago, IL 60603

\*\*\* Please see attached pages for additional Creditors if needed \*\*\*

**Blommer Peterman, S.C.**

Name: Marissa Steinberg  
*Marissa Steinberg*  
Legal Assistant

Subscribed and sworn to before me this  
12 day of June, 2014

Notary Public, State of Wisconsin  
My commission expires: 7/24/14



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Brookfield, WI 53005 262-790-5719 shannon@blommerpeterman.com

<b>American Express Bank FSB</b> c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	<b>Capital One, N.A.</b> Bass & Associates, P.C. 3936 E. Ft. Lowell Road, Suite #200 Tucson, AZ 85712	<b>Equifax</b> Attn: Bankruptcy Dept. PO Box 740241 Atlanta, GA 30374
<b>AMERICAN HONDA FINANCE CORPORATION NATIONAL BANKRUPTCY CENTER</b> P.O. BOX 168088 IRVING, TX 75016-8088	<b>CBE Group</b> Attn: Bankruptcy Dept. 131 Towe Park Dr Suite 1 Waterloo, IA 50702	<b>Experian</b> Attn: Bankruptcy Dept. PO Box 2002 Allen, TX 75013
<b>AMEX</b> Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale, FL 33329	<b>Chase</b> Attn: Bankruptcy Dept. Po Box 15298 Wilmington, DE 19850	<b>Exxon Mobil/Citi</b> Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls, SD 57117
<b>Bank of America, N.A.</b> P.O. Box 660933 Dallas, TX 75266-0933	<b>Citgo/CBNA</b> Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls, SD 57117	<b>Falls Collection SVC</b> Attn: Bankruptcy Dept. Po Box 668 Germantown, WI 53022
<b>Bank of America, N.A.</b> Attn: Bankruptcy Dept. 450 American St Simi Valley, CA 93065	<b>Credit First N</b> Attn: Bankruptcy Dept. 6275 Eastland Rd Brookpark, OH 44142	<b>Gerb/Dick's</b> Attn: Bankruptcy Dept. Po Box 1400 El Paso, TX 79948
<b>Best Buy</b> Bankruptcy Department PO Box 5238 Carol Stream, IL 60197-5238	<b>Credit First NA</b> PO Box 818011 Cleveland OH 44181	<b>Gerb/Gap</b> Attn: Bankruptcy Dept. Po Box 981400 El Paso, TX 79998
<b>CAP1/Menards</b> Attn: Bankruptcy Dept. Po Box 5253 Carol Stream, IL 60197	<b>Discover</b> Attn: Bankruptcy Dept. Po Box 15316 Wilmington, DE 19850	<b>Home Depot</b> Attn: Bankruptcy Dept. Po Box 6497 Sioux Falls, SD 57117
<b>Capital One</b> Attn: Bankruptcy Dept. Po Box 85520 Richmond, VA 23285	<b>Discover Bank</b> DB Servicing Corporation PO Box 3025 New Albany, OH 43054-3025	<b>Kohls/Capone</b> Attn: Bankruptcy Dept. N56 W 17000 Ridgewood Dr Menomonee Falls, WI 53051
<b>Capital One NA</b> c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	<b>eCAST Settlement Corporation</b> c/o Bass & Associates, P.C. 3936 E Ft. Lowell, Suite 200 Tucson, AZ 85712	<b>Portfolio Recovery Associates, LLC</b> PO Box 41067 Norfolk VA 23541
		<b>Quantum3 Group LLC as agent for</b> MOMA Funding LLC PO Box 788 Kirkland, WA 98083-0788

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 Brookfield, WI 53005      262-790-5719      shannon@blommerpeterman.com

**Quantum3 Group LLC as agent for**  
World Financial Network Bank  
PO Box 788  
Kirkland, WA 98083-0788

**Sears/CBNA**  
Attn: Bankruptcy Dept.  
Po Box 6282  
Sioux Falls, SD 57117

**State Collection Service**  
Attn: Bankruptcy Dept.  
2509 S Stoughton Rd  
Madison, WI 53716

**Transunion**  
Attn: Bankruptcy Dept.  
PO Box 1000  
Chester, PA 19022

**VW Credit INC**  
Attn: Bankruptcy Dept.  
1401 Franklin Blvd  
Libertyville, IL 60048

**VW Credit, Inc.**  
9441 LBJ Freeway, Suite 350  
Dallas, Texas 75243

**Wells Fargo**  
Attn: Bankruptcy Dept.  
Po Box 94498  
Las Vegas, NV 89193

**Wells Fargo Bank NA**  
PO Box 10438  
Des Moines IA 50306-0438

**WFNNB/Victoria's Secret**  
Attn: Bankruptcy Dept.  
Po Box 182789  
Columbus, OH 43218